

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NORTH DAKOTA

In re:)	Bankruptcy No. 25-30002
)	Chapter 11
Generations on 1st, LLC)	
)	
Debtor, Jointly Administered.)	
)	
Parkside Place, LLC)	Bankruptcy No. 25-30003
)	Chapter 11
Debtor, Jointly Administered.)	
)	
The Ruins, LLC)	Bankruptcy No. 25-30004
)	Chapter 11
Debtor.)	
)	
Generations on 1st, LLC, Parkside)	Adversary No. 25-7009
Place, LLC and The Ruins, LLC,)	
)	
Plaintiffs,)	
)	
v.)	
)	
Red River State Bank,)	
)	
Defendant.)	
)	

ORDER DENYING MOTION TO DISMISS

On November 12, 2025, Debtors Generations on 1st, LLC, Parkside Place, LLC and The Ruins, LLC filed a First Amended Complaint alleging claims and causes of action against Defendant Red River State Bank (“RRSB”). RRSB filed an Answer and Counterclaim and Third-Party Complaint on December 10, 2025. Doc. 31. The Counterclaim and Third-Party Complaint prompted Debtors to file a Motion to Dismiss Counterclaims and Strike Third-Party Complaint. Doc. 36. On January 27, 2026, RRSB filed an Amended Answer and Claim. In this pleading RRSB omitted its third-party

claims. Additionally, RRSB amended its counterclaim prayer for relief to seek a reduction of its alleged liability to Debtors consistent with the doctrine of recoupment. The Amended Answer and Counterclaim replace its original Answer and Counterclaim and Third-Party Compliant, rendering moot Debtors' Motion to Dismiss Counterclaims and Strike Third-Party Claim. See Pure Country, Inc. v. Sigma Chi Fraternity, 312 F.3d 952, 956 (8th Cir. 2002) ("[Plaintiff's] motion to amend the complaint rendered moot [defendant's] motion to dismiss the original complaint.").

IT IS ORDERED that Debtors' Motion to Dismiss Counterclaims and Strike Third-Party Claim [Doc. 36] is denied because it is moot.

Dated: January 29, 2026.



Shon Hastings, Judge
United States Bankruptcy Court